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allowed

CRM(DB) No. 507 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Nadanghat Police Station Case No. 214 of 2022 dated 09.06.2022 under Sections 498A/304B/306/34 of the Indian Penal Code and Sections 3/4 of the D.P. Act.

And
In Re : Surajit Basak petitioner

Mrs. Sonali Das
.....for the petitioner

Mr. Tanmoy Kumar Ghosh
Mr. Arindam Sen
..... for the State

Learned Counsel for the petitioner submits he is in custody for 245 days. He renews his prayer for bail.

Learned Counsel for the State opposes the prayer for bail.

We have considered the materials on record. There is no development in the matter since rejection of bail by this court in October, 2022. Balancing the nature of accusation with the period of detention suffered by the petitioner, we are inclined to grant bail to him.

Accordingly, we direct that the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Kalna, Purba Bardhaman, subject to condition that petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail is, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)